

[Doc. No.]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

STRIKE 3 HOLDINGS, LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 18-12585 (NLH/JS)
	:	
JOHN DOE SUBSCRIBER ASSIGNED	:	
IP ADDRESS 76.116.36.190,	:	
	:	
Defendant.	:	
_____	:	

O R D E R

This matter is before the Court on a remand from the District Court for entry of an Order on the "Motion for Leave to Serve a Third Party Subpoena Prior to a Rule 26(f) Conference" [Doc. No. 4] filed by plaintiff, Strike 3 Holdings, LLC. The Court exercises its discretion to decide plaintiff's motion without oral argument. See Fed. R. Civ. P. 78; L. Civ. R. 78.1.

For the reasons set forth by the District Court,


IT IS HEREBY ORDERED this 23rd day of July 2020 that plaintiff's "Motion Seeking Leave to Serve a Third Party Subpoena Prior to a Rule 26(f) Conference" [Doc. No. 4] is GRANTED; and it is further

ORDERED that Plaintiff may serve a Rule 45 subpoena on Comcast Cable Communications, LLC (Comcast Cable), defendant's ISP, which assigned the IP address associated with defendant-76.116.36.190.

In the subpoena plaintiff may only request information regarding the name and address associated with the IP address. This Order shall be attached to the subpoena; and it is further

ORDERED that upon receipt of plaintiff's subpoena the ISP shall have thirty (30) days to provide the IP subscriber with a copy of this Order and plaintiff's subpoena. Upon receipt of the subpoena and this Order the IP subscriber has thirty (30) days in which to file a motion to quash, move for a protective order or seek other applicable relief. If the IP subscriber chooses to contest the subpoena he/she must notify the ISP of his/her intent so the ISP is on notice not to release personal information to plaintiff until the issue is resolved by the Court; and it is further

ORDERED that if the IP subscriber does not contest the subpoena within thirty (30) days of receipt of the subpoena and this Order, the ISP shall provide plaintiff with the requested information within twenty-one (21) days. Any information plaintiff receives from the ISP may only be used for the purpose of protecting its rights as set forth in the complaint.



JOEL SCHNEIDER
United States Magistrate Judge